

Declaration, Petition and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Recombinant Transferrins, Transferrin Half-Molecules and Mutants Thereof
the specification of which

(check one)

 is attached hereto.

X was filed on December 28, 1993 as

Application Serial No. 08/175,158

and was amended on _____
(if applicable)

I do not know and do not believe that the subject matter of this application was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an issued inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
			_ Yes No _
			_ Yes No _
			_ Yes No _
			_ Yes No _
			_ Yes No _

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier United States application, if any, described below, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States more than one year prior to said earlier application, that the said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months prior to said application and that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

832,029
(Application Serial No.)

February 6, 1992
(Filing Date)

Pending
(Status)
(patented,pending,aband.)

652,869
(Application Serial No.)

February 8, 1991
(Filing Date)

Abandoned
(Status)
(patented,pending,aband.)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John A. Lahive, Jr.	Reg. No. 19,788	Michael I. Falkoff	Reg. No. 30,833
W. Hugo Liepmann	Reg. No. 20,407	Ann Lamport Hammitte	Reg. No. 34,858
James E. Cockfield	Reg. No. 19,162	John V. Bianco	Reg. No. 36,748
Thomas V. Smurzynski	Reg. No. 24,798	Jeremiah Lynch	Reg. No. 17,425
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David J. Powsner	Reg. No. 31,868	Paul Louis Myers	Reg. No. 35,965
Giulio A. DeConti, Jr.	Reg. No. 31,503	Elizabeth A. Levy	Reg. No. 34,375

Send Correspondence to:

Giulio A. DeConti, Jr., Esq., Lahive & Cockfield, 60 State Street, Boston, MA 02109

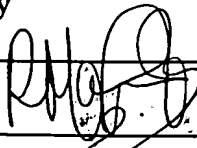
Direct Telephone Calls to: (name and telephone number)

Giulio A. DeConti, Jr., Esq., (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Walter D. Funk	
Inventor's signature	Date
Residence 11991 Audelia Road, Apt. 2202, Dallas, TX 75243	
Citizenship Canada	
Post Office Address (if different)	

Full name of second inventor, if any Ross T.A. MacGillivray	
Inventor's signature 	Date Feb 14/94
Residence Apt. 807, 2233 Allison Road, Vancouver, British Columbia V6T 1T7 Canada	
Citizenship United Kingdom	
Post Office Address (if different)	

Full name of third inventor, if any Anne B. Mason	
Inventor's signature	Date
Residence North Greenbush Road, Charlotte, VT 05445	
Citizenship United States	
Post Office Address (if different)	

Full name of fourth inventor, if any Robert C. Woodworth	
Inventor's signature	Date
Residence 4 Logan Lane, Shelburne, VT 05482	
Citizenship United States	
Post Office Address (if different)	

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Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
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<u>832,029</u> (Application Serial No.)	<u>February 6, 1992</u> (Filing Date)	<u>Pending</u> (Status) (patented,pending,aband.)
<u>652,869</u> (Application Serial No.)	<u>February 8, 1991</u> (Filing Date)	<u>Abandoned</u> (Status) (patented,pending,aband.)

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Giulio A. DeConti, Jr.	Reg. No. 31,503	Elizabeth A. Levy	Reg. No. 34,375

Send Correspondence to:

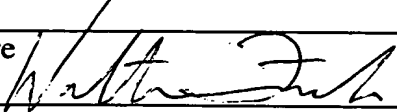
Giulio A. DeConti, Jr., Esq., Lahive & Cockfield, 60 State Street, Boston, MA 02109

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Full name of sole or first inventor Walter D. Funk	
Inventor's signature 	Date 2.8.94
Residence 11991 Audelia Road, Apt. 2202, Dallas, TX 75243 ^{WD} 4858 Mendota St ^{WD}	
Citizenship Canada ^{WD} Union City, CA 94557	
Post Office Address (if different)	

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Giulio A. DeConti, Jr., Esq., Lahive & Cockfield, 60 State Street, Boston, MA 02109

Direct Telephone Calls to: (name and telephone number)

Giulio A. DeConti, Jr., Esq., (617) 227-7400

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Full name of sole or first inventor Walter D. Funk	
Inventor's signature	Date
Residence 11991 Audelia Road, Apt. 2202, Dallas, TX 75243	
Citizenship Canada	
Post Office Address (if different)	

Full name of second inventor, if any Ross T.A. MacGillivray	
Inventor's signature	Date
Residence Apt. 807, 2233 Allison Road, Vancouver, British Columbia V6T 1T7 Canada	
Citizenship United Kingdom	
Post Office Address (if different)	

Full name of third inventor, if any Anne B. Mason	
Inventor's signature <i>Anne B. Mason</i>	Date 2/9/94
Residence North Greenbush Road, Charlotte, VT 05445	
Citizenship United States	
Post Office Address (if different)	

Full name of fourth inventor, if any Robert C. Woodworth	
Inventor's signature <i>Robert C. Woodworth</i>	Date 2/9/94
Residence 4 Logan Lane, Shelburne, VT 05482	
Citizenship United States	
Post Office Address (if different)	

Applicant or Patentee: Walter D. Funk, et al. Attorney's
Serial or Patent No.: 08/175,158 Case No.: UVI-005CP2
Filed or Issued: December 1993
Title: RECOMBINANT TRANSFERRINS, TRANSFERRIN HALF-MOLECULES AND
MUTANTS THEREOF

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The University of British Columbia
ADDRESS OF NONPROFIT ORGANIZATION IRC331-2194 Health Science Mall, Vancouver, British Columbia,
CANADA V6T 1Z3
TYPE OF NONPROFIT ORGANIZATION
☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a)
and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE
OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes
of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled

RECOMBINANT TRANSFERRINS, TRANSFERRIN HALF-MOLECULES AND MUTANTS THEREOF

by inventor(s) Walter D. Funk, et al.

described in

- ☐ the specification filed herewith.
☐ application serial no. 08/175,158, filed December 28, 1993
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above
identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is
listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor
under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR
1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to
their status as small entities. (37 CFR 1.27)

NAME The University of Vermont and State Agricultural College
ADDRESS Burlington, Vermont 05405
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity
status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small
entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are
believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are
punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements
may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Angus Livingstone
TITLE IN ORGANIZATION OF PERSON SIGNING Acting Director/University Industry Liaison Office
ADDRESS OF PERSON SIGNING IRC331-2194 Health Sciences Mall, Vancouver, B.C., CANADA V6T 1Z3

Angus Livingstone FEB 15, 1994
SIGNATURE DATE

Applicant or Patentee: Walter D. Funk, et al. Attorney's
Serial or Patent No.: 08/175,158 D No.: UVI-005CP2
Filed or Issued: December 28, 1993
Title: RECOMBINANT TRANSFERRINS, TRANSFERRIN HALF-MOLECULES AND
MUTANTS THEREOF

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(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

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by inventor(s) Walter D. Funk, et al.

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NAME _____
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NAME OF PERSON SIGNING Regina H. White
TITLE IN ORGANIZATION OF PERSON SIGNING Director, Office of Sponsored Programs
ADDRESS OF PERSON SIGNING 340 Waterman Building, 85 So. Prospect St. Burlington, VT 05405

Regina H. White FEB 10 1994
SIGNATURE DATE